SCS HCS HB 412 -- PHARMACIES

This bill changes the laws regarding pharmacies.

MISSOURI RX PLAN (Section 208.798, RSMo)

The bill removes an obsolete provision regarding the Missouri Senior Rx Program and extends the expiration date on the provisions regarding the Missouri Rx Plan from August 28, 2011, to August 28, 2014.

VETERINARY LEGEND DRUGS (Sections 338.010, 338.140, 338.150, 338.220, and 338.240)

A licensed veterinarian is allowed to administer or prescribe for use only in animals any medicine, drug, or pharmaceutical product including legend drugs under 21 U.S.C. Section 353 by expanding class L veterinary permits issued by the Board of Pharmacy within the Department of Insurance, Financial Institutions and Professional Registration to include the administering or prescribing of legend drugs.

The membership of an advisory committee appointed by the Board of Pharmacy to review and make recommendations to it regarding drug distributors is increased from five to six by adding a licensed veterinarian recommended by the Board of Veterinary Medicine within the department. The committee will also review and make recommendations to the Board of Pharmacy regarding rules and regulations on veterinary legend drugs.

A pharmacy that only holds a class L veterinary permit is not required to have a pharmacist on site except for when noncontrolled drugs for use in animals are being compounded. A supervising registered pharmacist is responsible for reviewing the activities and records of a class L pharmacy permit holder.

BOARD OF PHARMACY (Section 338.055)

The Board of Pharmacy within the Department of Insurance, Financial Institutions and Professional Registration is authorized to refuse to issue a certificate of registration, permit, or license to an applicant for a pharmacy or drug distributor license if the designated pharmacist-in-charge, manager-in-charge, or any office owner, manager, or controlling shareholder of the applicant has committed an act which would be grounds for discipline.

WHOLESALE DRUG DISTRIBUTORS (Section 338.330)

The bill defines “legend drug” as it relates to regulating

wholesale drug distributors as any drug or biological product that is subject to Section 503(b) of the Federal Food, Drug and Cosmetic Act; is required under federal law to be labeled in certain ways; or is required by law or regulation to be dispensed by prescription only or that is restricted to use by practitioners only. Any investigational new drug or a drug product being used for conducting a clinical trial or investigation under specified situations is exempt from this provision.

The bill contains an emergency clause for the provisions regarding wholesale drug distributors.